



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/718,906	
	Filing Date	November 21, 2003	
	First Named Inventor	Cable, Kevin	
	Art Unit	1773	
	Examiner Name	Donald L. Tarzano	
Total Number of Pages in This Submission		Attorney Docket Number	BRP-56-RCE

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	J. Bennett Mullinax, LLC		
Signature			
Printed name	J. Bennett Mullinax		
Date	April 1, 2005	Reg. No.	36221

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Peggy S. Baker	Date	April 1, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IFW

PATENT

ATTORNEY DOCKET NO.: BRP-56-RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin Cable	)	Examiner: Donald L. Tarzano
S/N: 10/718,906	)	Art Unit: 1773
Filed: 11/21/2003	)	Conf. No.: 1643
Title: Improved Flavor Barrier	)	

SUPPLEMENTAL AMENDMENT & INTERVIEW SUMMARY

Mail Stop Amendment  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Interview Summary dated 09 March 2005, Applicant responds as follows.

Statement Regarding Interview

Applicant acknowledges the courtesies extended by the Examiner in the interview of 09 March 2005. Applicant failed to note that the Interview Summary indicated a telephonic interview. Applicant respectfully submits that it was a personal interview between the Examiner and the Applicant's undersigned representative.

The art of record was discussed at the interview and the amendment accompanying the RCE filed on February 28, 2005, was discussed. The Examiner indicated that the inclusion of actual percentages in the independent claims helped distinguish over the prior art.

With respect to claim 21, it was discussed including an anti-scalping layer containing actual percentages of the inorganic additive similarly as was done in independent claims 1 and 19.

With respect to claim 20, it was discussed that the additional layer set forth in claim 20 is a separate layer applied directly to the layer comprising the inorganic additive. Such a structure is seen in reference to Figure 2.